

INTERNATIONAL UNION OF OPERATING : IN THE MONTGOMERY COUNTY
ENGINEERS LOCAL 542 : COURT OF COMMON PLEAS

v. :

MALLINCKRODT ARD INC., formerly :
known as QUESTCOR : No. 2018-14059
PHARMACEUTICALS, INC. :

MALINCKRODT PLC :

EXPRESS SCRIPTS HOLDING COMPANY :

EXPRESS SCRIPTS, INC. :
CURASCRIPT, INC. :

CURASCRIPT SD :

ACCREDITO HEALTH GROUP, INC. :

and :

UNITED BIOSOURCE CORPORATION, now :
known as UNITED BIOSOURCE LLC., a :
wholly owned subsidiary of UNITED :
BIOSOURCE HOLDINGS, INC. :

ORDER

AND NOW, this _____ day of _____, 2019, upon consideration of the
Uncontested Motion for Admission *Pro Hac Vice* for Matthew M. Wolf, Esquire, of Arnold &
Porter Kaye Scholer LLP and any response thereto, it is hereby ORDERED AND DECREED
that the Motion is GRANTED. Matthew M. Wolf, Esquire is hereby admitted *Pro Hac Vice*
before this Court for purposes of this matter. Mr. Wolf shall comply with all applicable Rules of
Court.

BY THE COURT:

J.

**MARSHALL, DENNEHEY, WARNER
COLEMAN & GOGGIN**

BY: DANIEL J. SHERRY, ESQUIRE

Attorney I.D. 21654

620 Freedom Business Center, Suite 300

King of Prussia, PA 19406

Telephone: 610/354-8250 Fax: 610/354-8299

djsherry@mdwgc.com

Attorney for Defendants, Mallinckrodt ARD Inc.
and Mallinckrodt plc

INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 542	:	IN THE MONTGOMERY COUNTY COURT OF COMMON PLEAS
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**UNCONTESTED MOTION FOR ADMISSION *PRO HAC VICE* OF MATTHEW M.
WOLF, ESQUIRE**

Defendants Mallinckrodt ARD Inc. and Mallinckrodt plc, ("Mallinckrodt Defendants")
by their undersigned counsel, respectfully move this Honorable Court pursuant to the
Pennsylvania Bar Admission Rule 301 and Pennsylvania Rule of Civil Procedure 1012.1 for the

admission *pro hac vice* of Matthew M. Wolf, Esquire in this matter and in support thereof aver as follows:

1. The Mallinckrodt Defendants seek to have Mr. Wolf admitted *pro hac vice* in this matter for the purposes of representing the Mallinckrodt Defendants.¹

2. Mr. Wolf is an attorney with Arnold & Porter Kaye Scholer LLP, 601 Massachusetts Ave., N.W., Washington, D.C. 20001 (202-942-5462). See Verified Statement of Matthew M. Wolf, Esquire, attached hereto as Exhibit A, ¶ 1.

3. Mr. Wolf is admitted to practice in the District of Columbia (Bar No. 454323, admitted in 1997), Colorado (Bar No. 33198, admitted in 2001) and Maryland (Bar No. 220026947, admitted in 1994). Mr. Wolf has also been admitted to practice in the United States Court of Appeals for the Fourth and Seventh Circuits as well as the United States District Court for the District of Maryland. See Exhibit A, ¶ 2.

4. Mr. Wolf is a member in good standing of the Bars of the Courts listed in paragraph 3 above. See Exhibit A, ¶ 2.

5. Mr. Wolf is not subject to any disciplinary proceedings and is not currently suspended or disbarred in any court. No motions for his admission have been denied. See Exhibit A, ¶ 3.

6. Mr. Wolf is admitted *pro hac vice* in two pending matters in the Commonwealth of Pennsylvania: *Heraeus Medical GmbH v. Esschem, Inc.*, No. 2:14-cv-05169-CMR, and *Steamfitters Local Union 420 v. Mallinckrodt ARD, LLC*, No. 2:19-cv-03047-BMS. He has not applied for *pro hac vice* admission in any other pending actions in the Commonwealth of Pennsylvania. See Exhibit A, ¶ 4.

¹ The attorneys from Bryan Cave Leighton Paisner, whose Pro Hac Vice Applications were previously granted by this Court, will be withdrawing their appearance pending this Court's decision on the within Pro Hac Vice application(s) being file by the attorneys from Arnold & Porter.

7. Mr. Wolf is familiar with Pennsylvania Bar Admission Rule 301 and Pennsylvania Rule of Civil Procedure 1012.1 and will be associated with Daniel J. Sherry, Esquire, Marshall Dennehey Warner Coleman & Goggin, P.C. at all stages of this matter. See Exhibit A, ¶ 7 and Verified Statement of Daniel J. Sherry, Esquire attached hereto as Exhibit B.

8. Mr. Sherry is a member in good standing of the Bar of the Commonwealth of Pennsylvania. See Exhibit B, ¶1.

9. Mr. Sherry is and will remain local counsel of record for the Mallinckrodt Defendants See Exhibit B, ¶1.

10. Mr. Sherry recommends Mr. Wolf's admission *pro hac vice* and is acting as his sponsor in the above captioned action. See Exhibit B, ¶2.

11. Mr. Sherry will remain associated with Mr. Wolf and shall sign and serve, or be served with, all notices, orders, pleadings or other papers filed in this action and shall attend all proceedings before this Court unless excused by the court. See Exhibit B, ¶4.

12. The fee required by §81.505(a) of the Pennsylvania Interest On Lawyer Trust Account (IOLTA) Board's regulations for *pro hac vice* admissions has been paid and the information required by §81.504 of the Pennsylvania IOLTA Board regulations for *pro hac vice* admissions has been provided to the IOLTA Board. See Verification letter attached hereto as Exhibit C.

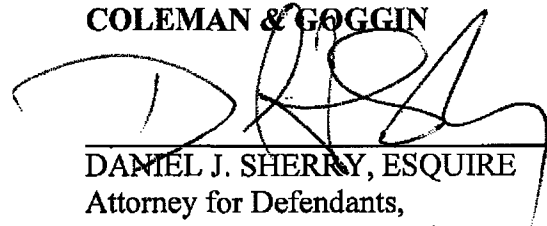
13. Plaintiff and co-defendants Defendants Express Scripts Holding Company, Express Scripts, Inc., CuraScript, Inc., Curascript SD, Accredo Health Group, Inc., and United BioSource Corporation, now known as United BioSource LLC, a wholly owned subsidiary of United BioSource Holdings, Inc. do not oppose this Motion. See email correspondence from Donald Haviland, Esquire and from Meghan McCaffrey, Esquire attached as Exhibits D and E respectively.

14. No good cause exists to deny this request for *pro hac vice* admission. See Pennsylvania Bar Admission Rule 301(b)(2) and Pa.R.C.P. 1012.1(e).

WHEREFORE, Defendants Mallinckrodt ARD Inc. and Mallinckrodt plc, respectfully request that this Honorable Court specially admit Matthew M. Wolf, Esquire *pro hac vice* on their behalf in this matter.

Respectfully submitted,

**MARSHALL, DENNEHEY, WARNER,
COLEMAN & GOGGIN**



DANIEL J. SHERRY, ESQUIRE
Attorney for Defendants,
Mallinckrodt ARD Inc. and
Mallinckrodt plc

**MARSHALL, DENNEHEY, WARNER
COLEMAN & GOGGIN**

BY: DANIEL J. SHERRY, ESQUIRE

Attorney I.D. 21654

620 Freedom Business Center, Suite 300

King of Prussia, PA 19406

Telephone: 610/354-8250 Fax: 610/354-8299

djsherry@mdwecg.com

Attorney for Defendants, Mallinckrodt ARD Inc.
and Mallinckrodt plc

INTERNATIONAL UNION OF OPERATING
ENGINEERS LOCAL 542

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MALLINCKRODT ARD, INC., formerly
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EXPRESS SCRIPTS, INC.
CURASCRIPT, INC.

CURASCRIPT SD

ACCREDITO HEALTH GROUP, INC.

and

UNITED BIOSOURCE CORPORATION, now
known as UNITED BIOSOURCE LLC., a
wholly owned subsidiary of UNITED
BIOSOURCE HOLDINGS, INC.

IN THE MONTGOMERY COUNTY
COURT OF COMMON PLEAS

No. 2018-14059

CERTIFICATE OF SERVICE

Daniel J. Sherry, Esquire hereby certifies that a true and correct copy of the foregoing Uncontested Motion for Admission *Pro Hac Vice* of Matthew M. Wolf was forwarded to the following via United States First Class Mail, postage prepaid, on September 27, 2019:

G. Patrick Watson, Esquire
Lindsay Sklar Johnson, Esquire
Bryan Cave Leighton Paisner LLP
One Atlantic Center, 14th Floor
1201 W. Peachtree Street, NW
Atlanta, GA 30309

(Also sent via email as follows:
patrick.watson@bclplaw.com
lindsay.johnson@bclplaw.com)

Philip D. Bartz, Esquire
Bryan Cave Leighton Paisner, LLP
1155 F Street, N.W.
Washington, DC 20004-1357

(also sent via email as follows:
Phillip.Bartz@bclplaw.com)

Donald E. Haviland, Jr., Esquire
William H. Platt, II, Esquire
Christina M. Philipp, Esquire
Haviland Hughes
201 South Maple Way, Suite 110
Ambler, PA 19002

(Also sent via email as follows:
haviland@havilandhughes.com
platt@havilandhughes.com
philipp@havilandhughes.com)

Meghan McCaffrey, Esquire
Michael Lyle, Esquire
Ethan Glass, Esquire
Eric Lyttle, Esquire
Quinn Emanuel Urquhart & Sullivan, LLC
1300 I St. NW Suite 900

Herbert R. Giorgio, Jr., Esquire
Bryan Cave Leighton Paisner LLP
One Metropolitan Square
211 North Broadway, Suite 3600
St. Louis, MO 73102

(Also sent via email as follows:
herb.giorgio@bclplaw.com)

Matthew M. Wolf, Esquire
Arnold & Porter Kaye Scholer LLP
601 Massachusetts Ave. N.W.
Washington, DC 20001

(Also sent via email as follows:
matthew.wolf@arnoldporter.com)

Joseph P. Walsh, Esquire
Walsh Pancio LLC
2028 North Broad Street
Lansdale PA 19446

(Also sent via email as follows:
joe@walshpancio.com)

Washington, DC 20005

(Also sent via email as follows:

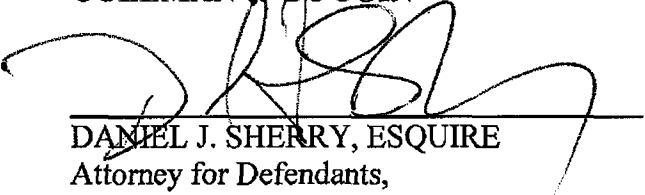
ericlyttle@quinnemanuel.com

meghanmccaffrey@quinnemanuel.com

mikelyle@quinnemanuel.com

ethanglass@quinnemanuel.com)

**MARSHALL, DENNEHEY, WARNER,
COLEMAN & GOGGIN**



DANIEL J. SHERRY, ESQUIRE

Attorney for Defendants,
Mallinckrodt ARD Inc. and
Mallinckrodt plc

LEGAL/124918758.v1

EXHIBIT A

INTERNATIONAL UNION OF OPERATING : IN THE MONTGOMERY COUNTY
ENGINEERS LOCAL 542 : COURT OF COMMON PLEAS

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MALLINCKRODT ARD, INC., formerly :
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EXPRESS SCRIPTS, INC. :
CURASCRIPT, INC. :

CURASCRIPT SD :

ACCREDITO HEALTH GROUP, INC. :

and :

UNITED BIOSOURCE CORPORATION, now :
known as UNITED BIOSOURCE LLC., a :
wholly owned subsidiary of UNITED :
BIOSOURCE HOLDINGS, INC. :

VERIFIED STATEMENT OF MATTHEW M. WOLF, ESQUIRE

I, Matthew M. Wolf, Esquire make this statement in support of my request for admission *pro hac vice* to appear in the above-captioned matter on behalf of Mallinckrodt AR, Inc. and Mallinckrodt plc ("Mallinckrodt Defendants").

1. I am an attorney at law in the District of Columbia and a partner with Arnold & Porter Kaye Scholer LLP, 601 Massachusetts Ave., N.W., Washington, DC 20001, (202-942-5462).

2. I am admitted to practice in the District of Columbia (Bar No. 454323, admitted in 1997), Colorado (Bar No. 33198, admitted in 2001) and Maryland (Bar No. 220026947, admitted in 1994). I have also been admitted to practice in the United States Court of Appeals for the Fourth and Seventh Circuits as well as the United States District Court for the District of Maryland. I am a member in good standing of the Bars of these Courts.

3. I have never been suspended, disbarred or otherwise disciplined. Nor have I been subject to any disciplinary proceedings. No motions for my admission have been denied.

4. I am admitted *pro hac vice* in two pending matter in the Commonwealth of Pennsylvania: *Heraeus Medical GmbH v. Esschem, Inc.*, No. 2:14-cv-05169-CMR and *Steamfitters Local Union 420 v. Mallinckrodt ARD, LLC*, No. 2:19-cv-03047-BMS. I have not applied for any other *pro hac vice* admission in any other pending actions in the Commonwealth of Pennsylvania.

5. I agree to comply with and be bound by the applicable statutes, case law and procedural rules of the Commonwealth of Pennsylvania including the Pennsylvania Rules of Professional Conduct.

6. I further agree to submit to the jurisdiction of the Pennsylvania courts and the Pennsylvania Disciplinary Board with respect to acts and omissions occurring during my appearance in the above-captioned matter.

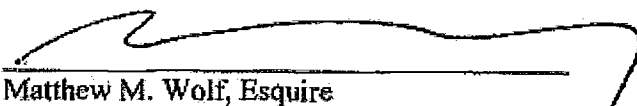
7. I am familiar with Pennsylvania Bar Admissions Rule 301 and Pennsylvania Rule of Civil Procedure 1012.1 and attest that I will be associated with Daniel J. Sherry, Esquire at all stages of and for the purposes limited to the above-captioned matter.

8. I consent to the appointment of the sponsoring attorney Daniel J. Sherry, Esquire as the agent upon whom service of process shall be made for all actions including disciplinary actions that may arise out of the practice of law in the above-captioned matter.

9. I provided all information required by 204 Pa. Code § 81.504 to the Interest On Lawyer Trust Account (IOLTA) Board and paid the \$375.00 fee required by 204 Pa. Code § 81.505(a). See Letter from IOLTA confirming receipt of the fee.

I make this statement subject to the penalties of 18 Pa. Cons. State. § 4904, which relates to unsworn falsification to authorities.

Dated: September 26, 2019


Matthew M. Wolf, Esquire

ARNOLD & PORTER KAYE SCHOLER LLP
601 Massachusetts Ave., N.W.
Washington, DC 20001
(202) 942-5462

LEGAL/124920031.v1

EXHIBIT B

INTERNATIONAL UNION OF OPERATING : IN THE MONTGOMERY COUNTY
ENGINEERS LOCAL 542 : COURT OF COMMON PLEAS

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CURASCRIPT SD :

ACCREDITO HEALTH GROUP, INC. :

and :

UNITED BIOSOURCE CORPORATION, now :
known as UNITED BIOSOURCE LLC., a :
wholly owned subsidiary of UNITED :
BIOSOURCE HOLDINGS, INC. :

VERIFIED STATEMENT OF DANIEL J. SHERRY, ESQUIRE

I, Daniel J. Sherry, Esquire make this statement in support of the Motion for Admission *Pro Hac Vice* of Matthew M. Wolf, Esquire to appear on behalf of Mallinckrodt ARD Inc. and Mallinckrodt plc ("Mallinckrodt Defendants") in the above-captioned matter pending in the Court of Common Pleas of Montgomery County, Pennsylvania.

1. I am Senior Counsel with Marshall Dennehey Warner Coleman & Goggin, P.C. Suite 300, 620 Freedom Business Center, King of Prussia, PA 19406, (610-354-8260) and a member of good standing of the Bar of the Commonwealth of Pennsylvania, Attorney Identification No. 21654. I am presently local counsel for the Mallinckrodt Defendants in this matter and will remain so throughout the course of this litigation.

2. After reasonable investigation, I believe that Matthew M. Wolf, Esquire is a reputable and competent attorney, I recommend this candidate's admission *pro hac vice* in the above captioned matter and I am acting as his sponsor in this case.

3. I have read the verified statement of Matthew M. Wolf, Esquire in support of his application and to the best of my knowledge, information and belief the Verified Statement is accurate. See Verified Statement of Matthew M. Wolf, Esquire.

4. I will remain associated with Mr. Wolf and shall sign and serve, or be served with, all notices, orders, pleadings or other papers filed in this action and shall attend all proceedings before this Court unless excused by the court.

5. Mr. Wolf has provided all information required by 204 Pa. Code § 81.504 to the Interest On Lawyer Trust Account (IOLTA) Board and he has paid the \$375.00 fee required by 204 Pa. Code § 81.505(a). See, Letter from IOLTA confirming receipt of the fee.

6. The proceeds from the settlement of a cause of action in this matter shall be received, held, distributed and accounted for in accordance with Rule 1.15 of the Pennsylvania Rules of Professional Conduct including the IOLTA provisions thereof, if applicable.

7. Other than Mr. Wolf and the four other attorneys from Arnold & Porter Kaye Scholer LLP whose Motions for Admission Pro Hac Vice are being filed simultaneously with his Motion, I am not acting as a sponsor for any candidate for admission *pro hac vice* in any case pending before the Courts of the Commonwealth of Pennsylvania.¹

I make this statement subject to the penalties of 18 Pa. Cons. State. § 4904, which relates to unsworn falsification to authorities.

**MARSHALL, DENNEHEY, WARNER,
COLEMAN & GOGGIN**

Dated: _____

9/27/19


Daniel J. Sherry, ESQUIRE

¹ The attorneys from Bryan Cave Leighton Paisner, whose Pro Hac Vice Applications were previously granted by this Court, will be withdrawing their appearance pending this Court's decision on the within Pro Hac Vice application(s) being file by the attorneys from Arnold & Porter.

Attorney for Defendants,
Mallinckrodt ARD Inc. and
Mallinckrodt plc

LEGAL/124920203.v1

EXHIBIT C



SUPREME COURT OF PENNSYLVANIA
PENNSYLVANIA INTEREST ON
LAWYERS TRUST ACCOUNT BOARD

September 24, 2019

MATTHEW WOLF, Esq.
ARNOLD & PORTER KAYE SCHOLER LLP
601 MASSACHUSETTS AVE, NW
WASHINGTON, DC 20001

SENT TO KERON MORRIS VIA Email: KERON.MORRIS@ARNOLDPORTER.COM

Dear Attorney WOLF:

This letter serves as the fee payment certification referenced in 204 Pa Code §81.503 and acknowledges receipt of the \$375.00 fee paid by Online Payment on this date related to your pursuit for admission *pro hac vice* in the case identified as INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 542 vs. MALLINCKRODT ARD INC FKA QUESTCOR PHARMACEUTICALS INC, no. 2018-14059, filed in Court of Common Pleas of Montgomery County.

You should refer to Pa Rule of Civil Procedure 1012.1, local court rules, and other regulations of 204 Pa Code §81.501 et. seq. concerning additional requirements related to seeking *pro hac vice* admission.

Sincerely,

A handwritten signature in cursive script, reading "Stephanie S. Libhart".

Stephanie S. Libhart
Executive Director

cc: DANIEL JOSEPH SHERRY, Esq.

DJSherry@MDWCG.com

Pennsylvania Judicial Center
601 Commonwealth Ave., Ste. 2400
PO Box 62445, Harrisburg, PA 17106-2445
717/238-2001 • 888/PA-IOLTA (724-6582) • 717/238-2003 FAX
paiolta@pacourts.us • www.paiolta.org

Administering Pennsylvania's Interest On Lawyers Trust Account (IOLTA) Program

EXHIBIT D

Wilson, Melissa A.

From: Don Haviland <haviland@havilandhughes.com>
Sent: Wednesday, September 25, 2019 6:27 AM
To: Pfaffenroth, Sonia Kuester; Bill Platt; Eric Lyttle; Meghan McCaffrey
Cc: Shores, Laura; Watts, Ryan Z.; Pergament, Adam; Weiss, Jonathan D.
Subject: Re: International Union of Operating Engineers Local 542 v. Mallinckrodt et al.

No opposition

Donald E. Haviland, Jr. Esquire
Managing Partner
Haviland Hughes
"We push back"
Ambler - Philadelphia
Atlantic City - Lehigh Valley

Proudly sent from my blackberry dumbphone.

From: Pfaffenroth, Sonia Kuester
Sent: Wednesday, September 25, 2019 12:33 AM
To: Don Haviland; Bill Platt; Eric Lyttle; Meghan McCaffrey
Cc: Shores, Laura; Watts, Ryan Z.; Pergament, Adam; Weiss, Jonathan D.
Subject: International Union of Operating Engineers Local 542 v. Mallinckrodt et al.

All,

We are submitting applications for admission pro hac vice for Mallinckrodt's Arnold & Porter counsel (Matt Wolf, Laura Shores, Sonia Pfaffenroth, Ryan Watts and Adam Pergament) in *International Union of Operating Engineers Local 542 v. Mallinckrodt, et al.* May we represent that Plaintiff and Express Scripts do not oppose the request?

Best regards,
Sonia

Sonia Pfaffenroth
Partner

Arnold & Porter
601 Massachusetts Ave., NW
Washington | District of Columbia 20001-3743
T: +1 202.942.6831
Sonia.Pfaffenroth@arnoldporter.com | www.arnoldporter.com

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For more information about Arnold & Porter, click here:
<http://www.arnoldporter.com>

EXHIBIT E

Wilson, Melissa A.

From: Meghan McCaffrey <meghanmccaffrey@quinnemanuel.com>
Sent: Wednesday, September 25, 2019 7:25 AM
To: Don Haviland
Cc: Pfaffenroth, Sonia Kuester; Bill Platt; Eric Lyttle; Shores, Laura; Watts, Ryan Z.; Pergament, Adam; Weiss, Jonathan D.
Subject: Re: International Union of Operating Engineers Local 542 v. Mallinckrodt et al.

Express Scripts defendants do not oppose.

On Sep 25, 2019, at 5:27 AM, Don Haviland <haviland@havilandhughes.com> wrote:

[EXTERNAL EMAIL]

No opposition

Donald E. Haviland, Jr. Esquire
Managing Partner
Haviland Hughes
"We push back"
Ambler - Philadelphia
Atlantic City - Lehigh Valley

Proudly sent from my blackberry dumbphone.

From: Pfaffenroth, Sonia Kuester
Sent: Wednesday, September 25, 2019 12:33 AM
To: Don Haviland; Bill Platt; Eric Lyttle; Meghan McCaffrey
Cc: Shores, Laura; Watts, Ryan Z.; Pergament, Adam; Weiss, Jonathan D.
Subject: International Union of Operating Engineers Local 542 v. Mallinckrodt et al.

All,

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Best regards,
Sonia

Sonia Pfaffenroth
Partner

Arnold & Porter
601 Massachusetts Ave., NW
Washington | District of Columbia 20001-3743
T: +1 202.942.6831
Sonia.Pfaffenroth@arnoldporter.com | www.arnoldporter.com

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<http://www.arnoldporter.com>